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CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Matthew L. Myers
44 Indian Mountain Road
Lakeville, CT 06039
Email: matthew@infrastructureupgrade.com
Phone: (860)-435-0509

September 2, 2024

Class Action Clerk
United States District Court for the Northern District of California
450 Golden Gate Avenue
San Francisco, CA 941023489

Re: Objections to Oracle Privacy Settlement - *Katz-Lacabe et al v. Oracle America, Inc.*,
Case Number is 3:22-cv-04792-RS

Dear Class Action Clerk (for *Case Number is 3:22-cv-04792-RS*),

a. The name and case number of this lawsuit (*Katz-Lacabe et al v. Oracle America, Inc.*, the case number is *3:22-cv-04792-RS*);

b. The basis for believing you are a Settlement Class Member;

Emailed legal notification dated September 2, 2024 noting Notice ID: KATL0527111556, Confirmation Code: 43wADKHE4an7, United States District Court for the Northern District of California *Katz-Lacabe et al v. Oracle America, Inc.*, Case No. *3:22-cv-04792-RS*.

c. Your full name and mailing address, and email address or telephone number;

Matthew L. Myers, 44 Indian Mountain Road, Lakeville, CT 06039,
matthew@infrastructureupgrade.com, (860)-435-0509

d. A clear and concise statement of all reasons for your objection;

I am hereby objecting to the proposed settlement (re: Oracle Privacy Settlement - *Katz-Lacabe et al v. Oracle America, Inc.*, Case Number is *3:22-cv-04792-RS*) **for not providing** and/or meeting the minimum threshold for due process of the participants, including

myself, by neglecting to provide a copy of the “digital dossier” that Oracle allegedly compiled on myself through its “Oracle ID Graph.”¹ I also object to the settlement reimbursement terms, which are fiscally insufficient.

1. I am requesting a copy of the “digital dossier” that Oracle has purportedly compiled on me. Failure to provide me with a chance to review and correct any inaccuracies and deficiencies is a denial of my right to due process in accordance with U.S. law.
2. Additionally, I am soliciting information on how Oracle used any federally protected medical records of myself and/or my father (for whom I am aiding with his care, through its “digital dossiers”) in alleged violation of *38 U.S. Code § 7332 - Confidentiality of certain medical records*.

Any compilation of shielded medical files and reporting (in line with *38 U.S. Code § 7332 - Confidentiality of certain medical records*) as a part of these “dossiers” is in direct violation of federal law and was done without my and/or my father’s consent, permission and/or authorization from 2018 on.

3. Finally, I am seeking clarification on how my “digital dossier” may have impacted any and all employment applications through USAjobs.gov, governmentjobs.com and/or any private employer in accordance with *42 U.S. Code § 12112 - Discrimination* and/or *42 U.S. Code § 2000e-2 - Unlawful employment practices*.

I would like a complete list of all potential employers that my “digital dossier” was sent to, including but not limited to, any and all government agencies, private employers and how such information was used in order to have an opportunity to correct and dispute any inaccuracies.

- e. Whether you intend to appear at the Final Approval Hearing, either in person through an attorney representing you;

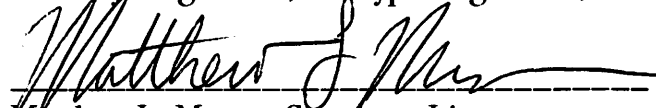
¹Bucher, Ann and Jewitt Abraham. “Oracle to pay \$115M in data privacy settlement.” TopClassActions. August 1, 2024. <https://topclassactions.com/lawsuit-settlements/privacy/oracle-class-action-alleges-company-earns-billions-selling-internet-users-personal-information/>.

I do not intend to appear in person at the Final Approval Hearing, but ask that my legal complaints and consideration be heard by the United States District Court for the Northern District of California for the subject case (re: *Katz-Lacabe et al v. Oracle America, Inc.*, the case number is 3:22-cv-04792-RS)

- f. A statement identifying your counsel, if you are represented by counsel;

Eric Milliken, Attorney and Managing Partner, Sutter Law, 61G Avenida De Orinda, Orinda, CA 94563

- g. Your handwritten or electronically imaged written (e.g., "DocuSign") signature. An attorney's signature, or a typed signature, is not sufficient.


Matthew L. Myers - Signature Line

Thank you.

Very respectfully,


—Matthew L. Myers

Enc. Article "Oracle to pay \$115M in data privacy settlement."

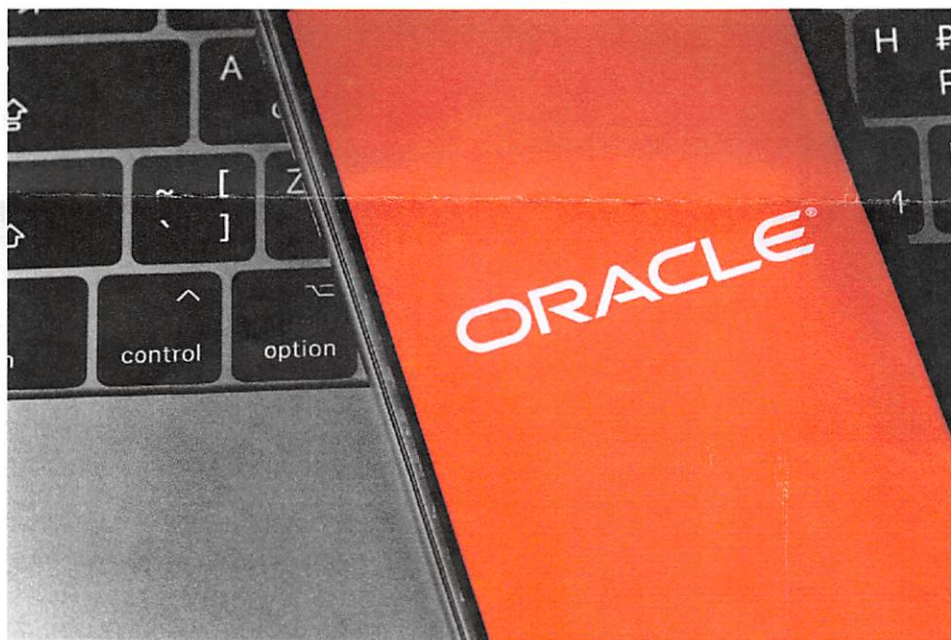


Oracle to pay \$115M in data privacy settlement

Anne Bucher , Abraham Jewett | August 1, 2024

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Update:

- Following eight months of negotiations, Oracle America agreed to pay \$115 million to end claims the company illegally sold users' personal information.
- In a motion for preliminary approval, consumers say the deal is fair, reasonable and adequate.
- Per the settlement, Oracle cannot capture certain "complained-of electronic communications" and needs to create an audit program to review its customers'

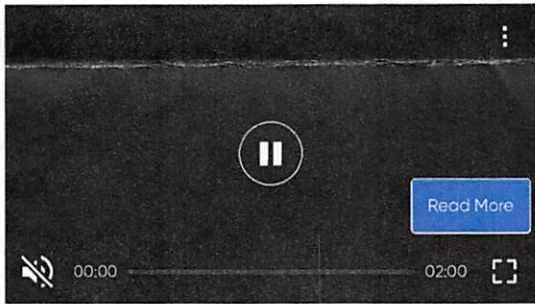
- compliance with contractual consumer privacy obligations.
- A pair of consumers claimed Oracle violated federal privacy and wiretap laws by illegally gathering and selling the personal information of its users.
 - The federal judge overseeing the case previously dismissed three of the claims against Oracle and trimmed a fourth last year but otherwise found the consumers had standing to bring the complaint.

Oracle class action overview:

- **Who:** Three plaintiffs filed a class action lawsuit against Oracle.
- **Why:** They allege Oracle illegally sells users' personal information.
- **Where:** The Oracle class action lawsuit was filed in California federal court.

(Aug. 26, 2022)

Oracle America Inc. was hit with a class action lawsuit alleging it sells users' personal information to third parties without their consent in violation of privacy and federal wiretap laws.



Three privacy rights advocates filed the class action, alleging the massive data broker compiled digital "dossiers" on millions of internet users around the world and reaped more than \$42 billion in revenue by selling their personal information.

Oracle class action says data can be used to identify individuals

Oracle allegedly utilizes cookies, cross-device tracking, device identification,

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JavaScript and tracking pixels to track and collect users' personal data, according to the lawsuit.

The company also uses AddThis, software that allows users to bookmark or share links to social media, and Datalogix, an information broker that profiles shoppers by aggregating data from companies' loyalty programs, the Oracle class action alleges.

The information allegedly collected and sold by Oracle includes addresses, political views, race, retail purchases and locations. Oracle reportedly developed the "Oracle ID Graph" using vast troves of user data that can be used to identify individual internet users, which is available for sale to private and governmental entities, the lawsuit states.

"This process provides Oracle with a virtual panopticon: Oracle purports to have vision on virtually everything ascertainable in electronic form about Class members, from where they live, to the media they consume, to the things they buy, to the views they hold," the Oracle class action lawsuit alleges.

The plaintiffs allege Oracle collects this highly personal information on internet users without their knowledge or consent. Although Oracle has created privacy policies, they do not adequately inform internet users about how it collects and uses their personal information, the Oracle class action lawsuit says.

The plaintiffs seek to certify a worldwide class of internet users whose data was used to create digital profiles through the data marketplace or Oracle ID Graph and sold to third parties. The plaintiffs also seek to certify subclasses of United States and California internet users.

Last year, an [Oracle pay bias class action lawsuit](#) survived the company's dismissal bid, allowing claims on behalf of 3,000 allegedly underpaid female employees to proceed. The case is currently on hold while the disbanded class appeals.

What do you think about the class action lawsuit? Tell us your thoughts in the comments!

The plaintiffs are represented by Michael W. Sobol, David T Rudolph and Jallé H. Dafa of Lieff Cabraser Heimann & Bernstein LLP.

The **Oracle class action lawsuit** is *Michael Katz-Lacabe, et al. v. Oracle America Inc.*, Case No. 3:22-cv-04792, in the U.S. District Court for the Northern District of California, San Francisco Division.

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**17 thoughts on
Oracle to pay \$115M in data privacy settlement**
